

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – DECEMBER 11, 2019**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 11<sup>th</sup> day of December 2019 at its meeting place in the Commissioners Courtroom of the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Waller County Judge Trey Duhon at 9:03 a.m. with the following members of the Court present to-wit:

Carbett "Trey" J. Duhon III, County Judge  
John A. Amsler, Commissioner Precinct 1  
Walter Smith, Commissioner Precinct 2  
Jeron Barnett, Commissioner Precinct 3  
Justin Beckendorff, Commissioner Precinct 4  
Debbie Hollan, County Clerk

Delivery of Invocation by: Commissioner Amsler

Pledge to the American Flag and Texas Flag led by: Commissioner Barnett

1. **Approval of Agenda.**

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**PUBLIC COMMENT** – None

**CONSENT AGENDA**

Items identified within the consent agenda are of a routine nature, and will be passed with one vote without being discussed separately. If a member of the court or public requests that a particular item be discussed, that agenda item will be pulled from the Consent Agenda and discussed as part of the regular agenda at the appropriate time. One vote will approve the remaining items on the Consent Agenda.

2. **Approval of the minutes** – December 4, 2019 Regular Session
3. **Request by County Treasurer for approval of Longevity Payroll.**
4. **Request to approve payment on the following:**
  - (a) \$80.00 for invoice #19547412 [Courthouse, Hold-Up Alarm], and \$995.00 for invoice # 19112412 [Courthouse Camera Surveillance], for a total of \$1,075.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].
5. **Request by County Auditor for approval and/or ratification of Accounts Payable.**
6. **Request by County Engineer to approve a Utility Permit for Tennessee Gas Pipeline to replace a pipeline within the right-of-way of Morton Road.**
7. **Request by County Engineer to approve a Utility Permit for ICTX Wave Media Fiber Networks to place a fiber optic conduit within the right-of-way of Hegar Road.**

8. Request by County Engineer to approve a Utility Permit for ICTX Wave Media Fiber Networks to place a fiber optic conduit within the right-of-way of Owens Road.
9. Request by County Engineer to remove the Load Zone Designation on Owens Road as a result of Interlocal Agreement with Waller County MUD No. 33.

Motion to **approve** by Commissioner Smith, seconded by Commissioner Beckendorff.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## IT DEPARTMENT

10. Discuss and take action to approve Consolidated Communications phone and internet modifications for multiple buildings in Brookshire and Pattison.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

11. Discuss and take action to approve Agreement with CIRA for continued website support and hosting.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## COUNTY ENGINEER

12. Discuss and take action to exercise renewal option on bids for Road and Bridge materials and services for 2020.

Motion to **approve** by Commissioner Smith, seconded by Commissioner Beckendorff.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

13. Discuss and take action to accept price increase by The Railroad Yard for the Used Tank Car bid for 2020.

Motion to **approve** by Commissioner Smith, seconded by Commissioner Beckendorff.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

14. Discuss and take action to accept donation from Edge Design Concepts Construction, LLC in the amount of \$41,030.00 and place in line item 110-530-587505 [Road Materials].

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## JUSTICE OF THE PEACE, PRECINCT 3

15. Discuss and take action to approve the following line item transfer from within the Justice of Peace, Precinct 3 Budget:

\$800.00 from 125-420-581800 [Furniture & Equipment] to 125-420-530200 [Supplies & Stationary].

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

## ENVIRONMENTAL DEPARTMENT

16. Discuss and take action to approve a variance request to the Subdivision Development Regulations, Engineering Design Standards, Section 2-Lot size, regarding the minimum lot size per dwelling, by Ms. Dery Escobar.

Motion to **grant variance** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion FAILED – Variance DENIED** by 1-4 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – No

Commissioner Smith – No

Commissioner Barnett – No

Commissioner Beckendorff – No

17. Discuss and take action to approve a variance request to the Subdivision Development Regulations, Engineering Design Standards, Section 2-Lot size, regarding the minimum lot size per dwelling, by Mr. and Mrs. Samuel Rivas.

Motion to **grant variance** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion FAILED – Variance DENIED** by 0-5 vote.

Judge Trey Duhon – No

Commissioner Amsler – No

Commissioner Smith – No

Commissioner Barnett – No

Commissioner Beckendorff – No

18. Discuss and take action to approve an updated fee schedule for the Environmental Department effective January 1, 2020.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

## AUDITOR

19. **Spread** upon the minutes Certification of Funds for the State Criminal Alien Assistance Program. *No action required.*

20. Discuss and take action to amend the 2019 Budget to accommodate funds from the State Criminal Alien Assistance Program.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

21. Discuss and take action to approve line item transfers.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

**CONSTRUCTION MANAGER**

22. **Update** on Jail Center Project. *No action required.*

23. Discuss and take action to approve payment of \$ 2,019,389.09 for invoice # 11109 to Sedalco, Inc. from line item 601-601-581000 [Bldg. Purch. Cons., or Improv].

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

24. **Update** on Precinct 4 Building Project. *No action required.*

25. Discuss and take action to approve payment of \$123,969.91 to Collier Construction, LLC from line item 125-600-581610 [Precinct 4 Building].

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

**MISCELLANEOUS**

26. Discuss and take action to approve the transfer of \$3,000.00 from line item 125-411-569600 [Contingency] to 125-411-540300 [Legal].

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion to **amend** #26 and change \$3,000 to \$50,000.00 by Commissioner Smith, seconded by Commissioner Beckendorff.

**Amendment carried** by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

**Amended Motion carried** by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

27. Discuss and take action to approve payment of \$12,595.17 for Invoice #110892 to Bickerstaff Heath Delgado Acosta LLP.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

28. Discuss and take action to approve setting the Waller County Commissioners Court 2020 Regular Sessions to be held at the Waller County Courthouse, in Hempstead, Texas.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion to **approve** continue weekly meetings as has been our custom by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

29. Discuss and take action to designate one mailing address and one electronic address for receiving written requests for public information.

Mailing address:

Attn: Public Information  
645 12<sup>th</sup> Street  
Hempstead, Texas 77445

Electronic mail Address:

PublicInformation@wallercounty.us

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

30. ~~Discuss and take action to approve Order prohibiting or restricting certain fireworks in unincorporated areas of Waller County.~~

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion withdrawn – Item WITHDRAWN.**

### **EXECUTIVE SESSION**

31. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

**Court convened to Executive Session at 10:59 a.m.**

32. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

**Court reconvened from Executive Session at 11:39 a.m.**

*No action taken from Executive Session.*

### **ADJOURN MEETING**

Motion to **adjourn** meeting by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

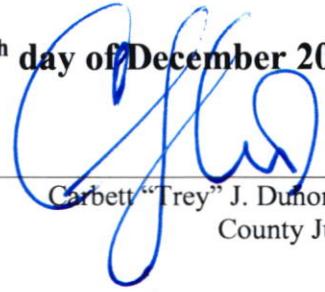
Meeting was **ADJOURNED** at 11:39 a.m.

I **ATTEST** that the above proceedings are the true and correct minutes taken in my capacity as  
Ex-Officio for the Commissioners' Court of Waller County.

  
Debbie Hollan

Debbie Hollan  
Waller County Clerk

**APPROVED this the 18<sup>th</sup> day of December 2019.**

A handwritten signature in blue ink, appearing to be 'CJW', written over a horizontal line.

Carbett "Trey" J. Dumon, III  
County Judge